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10 EPIC GAMES, INC. and EPIC GAMES  
INTERNATIONAL S.A.R.L.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

15 EPIC GAMES, INC., a Maryland  
16 corporation; and EPIC GAMES  
INTERNATIONAL S.À.R.L., a  
17 Luxembourg Société à Responsabilité  
Limitée.

18 Plaintiffs,

19 || v.

20 JAMES MENDES, an individual;  
21 KONSTANTIN VLADIMIROVICH RAK,  
an individual; and OLEKSEY  
OLEKSEEVICH STEGAILO, an  
individual.

## Defendants.

Case No. 3:17-cv-06223-LB

**DECLARATION OF HOLLY M. SIMPKINS  
IN SUPPORT OF PLAINTIFFS'  
ADMINISTRATIVE MOTION TO SUBMIT  
MOTION TO SERVE DEFENDANT  
KONSTANTIN VLADIMIROVICH RAK  
VIA ALTERNATIVE MEANS WITHOUT A  
HEARING**

Judge: Hon. Laurel Beeler  
Courtroom: C, 15th Floor

**DECLARATION OF HOLLY M. SIMPKINS**

I, Holly M. Simpkins, declare as follows:

1. I am an attorney licensed to practice law before the courts of the State of Washington. I am Senior Counsel at Perkins Coie LLP, and counsel in this action for Plaintiffs Epic Games, Inc. and Epic Games International S.à.r.l. (“Epic”). I submit this declaration in support of Epic’s Administrative Motion To Submit Motion to Serve Defendant Konstantin Vladimirovich Rak Via Alternate Means Without a Hearing. I have personal knowledge of the facts stated herein and, if called upon, I could and would testify competently thereto under oath.

2. Epic was unable to obtain a stipulation from Konstantin Vladimirovich Rak or any other defendant regarding this administrative motion because none of the defendants have been served<sup>1</sup> and none have appeared in this matter.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 25th day of January, 2018, at Seattle, Washington.

Holly M. Simpkins  
Holly M. Simpkins

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<sup>1</sup> Despite the Court’s order allowing service on Oleksey Olekseevich Stegailo via email, Mr. Stegailo deactivated the email accounts to be used for service before service could be accomplished. Though Epic attempted service on the date the Court issued its order, those emails transmitting service bounced.